

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PHILADELPHIA INDEMNITY
INSURANCE COMPANY,

No. 2:22-cv-00946-TLN-CKD

Plaintiff,

v.
ELLE PLACEMENT, INC., et al.,

Defendants.

AUTO WAREHOUSING COMPANY,
INC.,

No. 2:22-cv-01986-MCE-JDP

Plaintiff,

v.
ELLE PLACEMENT, INC., et al.,

Defendants.

RELATED CASE ORDER

Plaintiff filed a Notice of Related Cases on November 3, 2022. Examination of the above-captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal. 1997). Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern District of California, two actions are related when they involve the same parties and are based on the same or similar claim(s); when they involve the same transaction, property, or event; or when

1 they “involve similar questions of fact and the same question of law and their assignment to the
2 same Judge . . . is likely to effect a substantial savings of judicial effort.” L.R. 123(a). Further,

3 [i]f the Judge to whom the action with the lower or lowest number
4 has been assigned determines that assignment of the actions to a
single Judge is likely to effect a savings of judicial effort or other
economies, that Judge is authorized to enter an order reassigning all
5 higher numbered related actions to himself or herself.

6 L.R. 123(c).

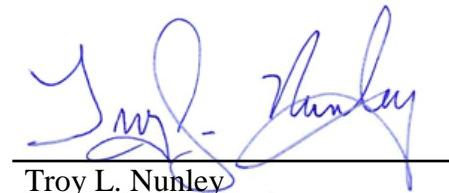
7 The instant actions are related because this action involves insurance coverage for the
8 claims being made in the *Auto Warehousing Company* action. Consequently, assignment to the
9 same judge would “effect a substantial savings of judicial effort.” L.R. 123(a), *see also* L.R.
10 123(c).

11 Relating the cases under Local Rule 123, however, merely has the result that both actions
12 are assigned to the same judge, it does not consolidate the actions. Under the regular practice of
13 this Court, related cases are generally assigned to the judge and magistrate judge to whom the
14 first filed action was assigned. Should either party wish to consolidate the actions, the
15 appropriate motion or stipulation must be filed.

16 IT IS THEREFORE ORDERED that the action denominated 2:22-cv-01986-MCE-JDP is
17 reassigned to District Judge Troy L. Nunley and Magistrate Judge Carolyn K. Delaney, and the
18 caption shall read 2:22-cv-01986-TLN-CKD. Any dates currently set in 2:22-cv-01986-MCE-
19 JDPar are hereby VACATED. The Clerk of the Court is to issue the Initial Pretrial Scheduling
20 Order.

21 IT IS SO ORDERED.

22 **DATED: December 15, 2022**



Troy L. Nunley
United States District Judge

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